

ATTACHMENT 1
APPLICATION OF HYDRO ONE TELECOM LINK LIMITED

Question 9

This Application qualifies for streamlined processing pursuant to Section 63.12(c)(1)(ii) of the Commission's Rules. As set forth below, Hydro One Telecom Link Limited ("Hydro One") is a non-dominant foreign carrier in Canada that qualifies for a presumption of non-dominance under Section 63.10(a)(3). Accordingly, Hydro One's application is eligible for streamlined processing.

Questions 11 & 12

Hydro One provides the following information and certifications as required in Section 63.18(i) through (m) of the Commission's Rules, 47 C.F.R. § 63.18(i)-(m):

(i) Hydro One certifies that it is a foreign carrier within the meaning of Section 63.09(d) of the Commission's Rules. Hydro One is authorized to provide services in Canada. Hydro One is not affiliated with any foreign carriers within the meaning of Section 63.09(e) of the Commission's Rules.

(j) Hydro One certifies that it seeks to provide international telecommunications services to all global points, except those points on the Commission's Exclusion List. This includes Canada, where Hydro One is a foreign carrier as indicated in paragraph (i) above.

(k) Canada is a WTO Member.

(l) Hydro One may resell the international switched services of unaffiliated U.S. carriers for the purpose of providing telecommunications services to Canada, where Hydro One is a foreign carrier as described above. As demonstrated in paragraph (m) below, Hydro One should be treated as non-dominant on the US-Canada route.

(m) Hydro One should be classified as non-dominant on the US-Canada route pursuant to Section 63.10(a)(3) of the Commission's Rules, because Hydro One is a non-dominant carrier in Canada. Hydro One does not appear on the Commission's *List of Foreign Telecommunications Carriers that are Presumed to Possess Market Power in Foreign Telecommunications Markets*, released June 18, 1999. In addition, Hydro One is a relatively new market entrant offering services in competition with a dominant foreign carrier and others in Canada. At this time, Hydro One holds significantly less than a 50 percent market share in the international transport and local access markets of Canada. Moreover, Hydro One does not have the ability to discriminate against unaffiliated U.S. carriers through the control of bottleneck services or facilities, or to exercise market power in Canada. Hydro One therefore satisfies the criteria of Section 63.10(a)(3) of the Commission's Rules. Accordingly, Hydro One should be classified as non-dominant on the US-Canada route.

Question 15

Hydro One has not previously received authority under Section 214 of the Communications Act.